

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CRYSTALLEX INTERNATIONAL CORP.,

Plaintiff,

v.

BOLIVARIAN REPUBLIC OF VENEZUELA,

Defendant.

C.A. No. 1:17-mc-00151-LPS

**SAINT-GOBAIN PERFORMANCE PLASTICS EUROPE'S
SUPPLEMENTAL ADDITIONAL JUDGMENT CREDITOR STATEMENT**

DATED: November 3, 2023

Respectfully submitted:

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Plaintiff and judgment creditor Saint-Gobain Performance Plastics Europe (“Saint-Gobain”) submits this supplemental statement pursuant to the Court’s October 11, 2023 Order to update its summary of the dates of all Steps it has completed, as outlined in the Court’s July 27 Memorandum Order, D.I. 646. *See* D.I. 738. As set out below and supported by the documentation exhibited to this submission, Saint-Gobain has completed Steps 1 through 5 as of the date of this filing.

- **Step 1: Creditor Proves it is Owed Some Debt by a Venezuela Party.**
 - On November 3, 2017, an international arbitration tribunal issued an award (“Award”) against the Bolivarian Republic of Venezuela and in favor of Saint-Gobain in the amount of \$29.6 million, plus costs and interest. *See* Ex. A (Award).¹
- **Step 2: Creditor Enforces its Award in a U.S. Court and Receives a Judgment.**
 - On August 2, 2023, the United States District Court for the District of Columbia entered a judgment (“Judgment”) enforcing the Award pursuant to 22 U.S.C. § 1650a and ordering post-judgment interest pursuant to 28 U.S.C. § 1961. *See* Ex. B, at pp. 1-4 (Judgment).
- **Step 3: Creditor Registers its Judgment in the District of Delaware.**
 - On September 1, 2023, Saint-Gobain registered the Judgment in the District of Delaware in *Saint-Gobain Performance Plastics Europe v. Bolivarian Republic of Venezuela*, 1:23-mc-00397-LPS. *See* Ex. B, at pp. 7-8 (Letter Registering in the District of Delaware).
- **Step 4: Creditor Moves in Delaware for a Writ of Attachment *Fieri Facias*.**
 - On September 5, 2023, Saint-Gobain filed its Motion for Writ of Attachment *Fieri Facias*. *See* Ex. C (Motion for Writ of Attachment).
- **Step 5: Creditor Obtains a Writ of Attachment *Fieri Facias* which May be Conditioned on Subsequent Events.**
 - On October 16, 2023, Saint-Gobain, Venezuela, and PDVSA entered into a Stipulation to Obviate the Need for Further Briefing (“Stipulation”). In pertinent part, the parties agreed to apply the Court’s decision on the pending Motion for Writ of Attachment *Fieri Facias* and motion to dismiss in *Pharo Gaia Fund, Ltd., et al. v. Bolivarian Republic of Venezuela*, Case No. 23-mc-360-LPS, to the pending

¹ On March 12, 2018, Venezuela initiated annulment proceedings that were later discontinued with prejudice. *See Saint-Gobain Performance Plastics Europe v. Bolivarian Republic of Venezuela*, ICSID Case No. ARB/12/13, <https://icsid.worldbank.org/cases/case-database/case-detail?CaseNo=ARB/12/13>.

Motion for Writ of Attachment *Fieri Facias* and motion to dismiss in Saint-Gobain's attachment proceedings. *See* Ex. D (Stipulation).

- On October 25, 2023, the Court granted the Stipulation.
- On November 1, 2023, the Court issued an order conditionally granting Saint-Gobain's Motion for Writ of Attachment *Fieri Facias*. *See* Ex. E. (Memorandum Opinion), Ex. F (Order). As a result, Saint-Gobain completed Step 5 on this date.

In accordance with the Court's October 11, 2023 Order, Saint-Gobain will make further filings within three business days of completing any additional Steps.

DATED: November 3, 2023

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